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AUG 0 1 2005

Birch, Stewart, Kolasch & Birch, LLP



To:	Examiner Frederick Krass	From:	Leonard R. Svens	sson
Fax:	(571) 273-8300	Pages:	0 including cove	rsheet
Phone:		Date:	August 1, 2005	
Your Ref.:	Application No. 10/771,259	Our Ref.:	1718-0214P	
Re:	Letter Requesting Initialed PTO 1449	CC:		
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AUG **0 1** 2005

NO. 9897 P. 2

> **PATENT** 1718-0214P

August 1, 2005

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Johan Harmenberg et al.

Group:

1614

Application No.:

10/771,259

Examiner: KRASS, Frederick F

Filed:

February 2, 2004

Conf.:

2442

For:

PHARMACEUTICAL COMBINATION

LETTER REQUESTING INITIALED PTO 1449 FORM(S)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In reviewing the above-captioned application, the undersigned has noted that acknowledgement was not received for the PTO Form(s) 1449 filed with the Information Disclosure Statement(s) on August 19, 2004.

Applicants note that the Information Disclosure Statement filed via facsimile on August 19, 2004 has not been entered into the Patent Application Information Retrieval (PAIR) System. A copy of the confirmation facsimile transmission sheets indicating that the U.S. Patent Office has received the IDS is enclosed. In addition, Applicants; enclose a copy of the IDS previously filed.

The Examiner is respectfully requested to return the initialed form(s) to the undersigned as soon as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

I hereby Certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office:

Signature B. Auto typed or printed name of person signing certificate

LRS/SWG/sbp

ATTACHMENTS

Respectfully submitted.

BIRCH, STEWART, KOLASCH & BIRCH, LLP

47,604

*"*Leonárð Svensson

P.O. Box 747

Falls Church, VA 22040-0747

(714) 708-8555

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AUG 0 1 2005

PATENT 1718-0214P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

HARMENBERG, Johan G. et al. Conf.:

Appl. No.:

10/771,259

Group:

1614

Filed:

February 2, 2004

Examiner: KRASS, F.

For:

PHARMACEUTICAL COMBINATION

INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

August 19, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION I.

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

- II. COPIES (check at least one box)
 - This application was filed before June 30, 2003. a. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
 - b. 冈 This application was | filed on or June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

c.	Some or all of the documents listed on the PTO-
	1449 are not enclosed because they were cited in
	the International Search Report and copies should
	already be in the PTO file. If copies are needed,
	please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- 1

a. 🛛 DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

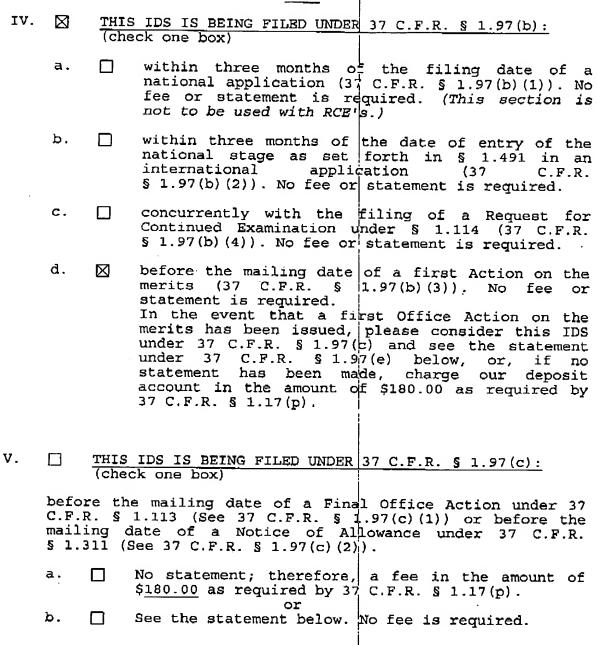
C. ENGLISH LANGUAGE SEARCH REPORT

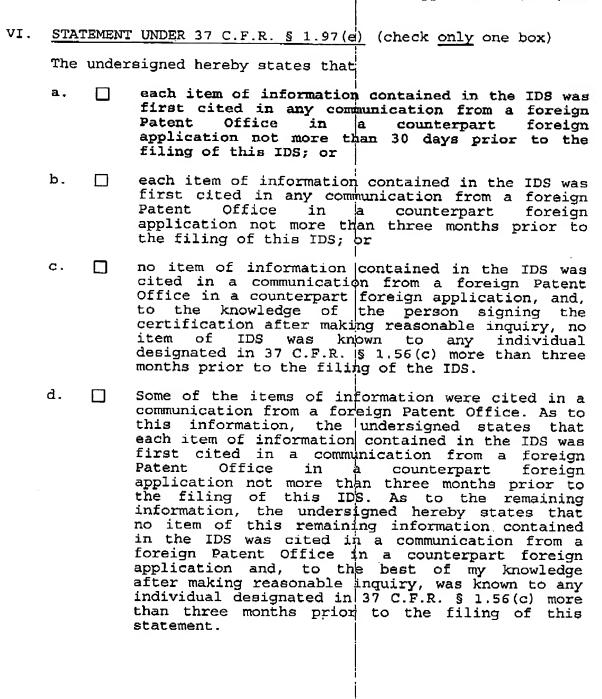
An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. OTHER

The following additional information is provided for the Examiner's consideration.

FEES





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Sheet 1 of 1 (8/19/04)

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650 Town Center Drive, Suite 620 Costs Mesa, CA 92825-1925 Phone: (714) 708-8555 Fax: (714) 708-8565

Birch, Stewart, Kolasch & Birch, LLP



To:	Examiner Frederick Kr	ass/AU 1614	From:	Le	onard R. Svensson	
Faoc.	(703) 872-9306		Pages:	7 ì	nduding cover sheet	
Phone:		<u></u>	Date:	Αu	gust 19, 2004	
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Your Ref.:	Application No. 10/771,259	Our Ref.:	1	718-0214P
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PATENT 1718-0214P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

HARMENBERG, Johan G. et al. Conf.:

2442

Appl. No.:

10/771,259

Group:

1614

Filed:

February 2, 2004

Examiner: KRASS, F.

For:

PHARMACEUTICAL COMBINATION

INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 August 1, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

- COPIES (check at least one box) II.
 - Copies of cited U.S. patents and patent application publications are not included. Copies of foreign patent documents and non-patent a. 囟 literature are included.
 - Some or all of the documents listed on the PTOb. 1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

đ.

Appl. No. 10/771,259

III.	CONC:	ISE EX	RPLANATION OF THE RELEVANCE least one box)
	a.		DOCUMENTS IN THE ENGLISH LANGUAGE
			The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.
	b.		DOCUMENTS NOT IN THE ENGLISH LANGUAGE
			A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
	c.		ENGLISH LANGUAGE SEARCH REPORT
		_	An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609 (III) (A) (3).
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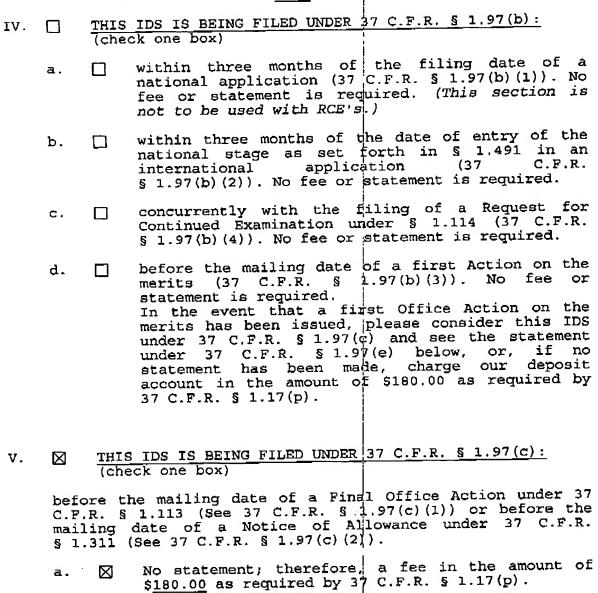
The following additional information is provided for the Examiner's consideration.

b.

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Appl. No. 10/771,259

FEES



or

See the statement below. No fee is required.

VI.	STATI	EMENT	UNDER 37 C.F.R. § 1.97(e) (check only one box)
	The 1	unders	signed hereby states that
	a.		each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or
í	b.		each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
	c.		no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
	đ.		Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYME	NT OF FEES (check one box)
	A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
_	Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. \$ 1.17(p) for the above-indicated fee.
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1718-0214	
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Sheet 1 of 1 (8/1/05)

Form PTO-1449					ATTY. DOCKET NO. 1718-0214P			APPLICATION NO. 10/771,259		
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